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14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,
18 Plaintiff,
19 v.
20 KYLE MATTHEW LISMAN,
21 Defendant.

22 CASE NO. 1:25-CR-00041-JLT-SKO
23 JOINT STATUS REPORT AND STIPULATION
24 AND ORDER REGARDING EXCLUDABLE TIME
25 PERIODS UNDER SPEEDY TRIAL ACT
26 DATE: October 29, 2025
27 TIME: 1:00 p.m.
28 COURT: Hon. Sheila K. Oberto

29
30 **STIPULATION**

31 1. This case set for status conference on October 29, 2025. As set forth below, the parties
32 now move, by stipulation, to set this case for jury trial on February 17, 2026 at 8:30 am, and to exclude
33 the time period between today's date through and including February 17, 2026 under the Speedy Trial
34 Act. The parties estimate the trial will take roughly 3-5 days. The parties further request that the Court
35 set a status conference before the Hon. Sheila K. Oberto on December 17, 2025, at 1:00 pm.

36
37 **STIPULATION**

38 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
39 through defendant's counsel of record, hereby stipulate as follows:

40 2. By previous order, this matter was set for status conference on October 29, 2025. As set
41 forth below, the parties now move to set this case for jury trial on February 17, 2026 at 8:30 am, and to
42 exclude the time period between October 29, 2025 and February 17, 2026 under the Speedy Trial Act.

1 The parties further request that the Court set a status conference before the Hon. Sheila K. Oberto on
2 December 17, 2025, at 1:00 pm.

3. The parties agree and stipulate, and request that the Court find the following:

4 a) The government has represented that the discovery associated with this case
5 includes substantial volumes of financial records, witness interviews, and other evidence. All of
6 this discovery has been either produced directly to counsel and/or made available for inspection
7 and copying.

8 b) Counsel for defendant desires additional time to consult with his/her client,
9 review the charges, conduct investigation and research, review discovery and discuss potential
10 resolution of the case.

11 c) Counsel for defendant believes that failure to grant the above-requested
12 continuance would deny him/her the reasonable time necessary for effective preparation, taking
13 into account the exercise of due diligence.

14 d) The government does not object to the continuance.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of October 29, 2025 to February 17,
20 2026, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
21 T4] because it results from a continuance granted by the Court at defendant's request on the basis
22 of the Court's finding that the ends of justice served by taking such action outweigh the best
23 interest of the public and the defendant in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

5 Dated: October 20, 2025

6 ERIC GRANT
United States Attorney

7 _____
8 /s/ JEFFREY A. SPIVAK
9 _____
10 JEFFREY A. SPIVAK
11 Assistant United States Attorney

10 Dated: October 20, 2025

11 _____
12 /s/ Roger Ponce
13 _____
14 Roger Ponce
15 Counsel for Defendant

13 ORDER

14 IT IS SO ORDERED that this case is set for jury trial on February 17, 2026 at 8:30 am, and time
15 is excluded from today's date through and including February 17, 2026 under the Speedy Trial Act.
16 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

17 IT IS FURTHER ORDERED that this case is set for a status conference before the Hon. Sheila
18 K. Oberto on December 17, 2025, at 1:00 pm. The October 28, 2025, status conference is VACATED.

20 Dated: October 22, 2025

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22 /s/ *Sheila K. Oberto*
23 _____
24 UNITED STATES MAGISTRATE JUDGE